

The Honorable Robert J. Bryan

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT TACOMA

RAYMOND G. PAGE,

Plaintiff,

v.

JEFFERSON TRANSIT AUTHORITY;
DAVID A. TURISSINI; and EILEEN M.
LAWRENCE,

Defendants.

CASE NO. C08-05456-RJB

DECLARATION OF JOHN H. CHUN
IN SUPPORT OF JTA DEFENDANTS'
MOTION FOR ATTORNEYS' FEES

Noted for August 21, 2009

JOHN H. CHUN hereby declares as follows:

1. I am a member of Summit Law Group, PLLC and make this declaration based upon my personal knowledge and the records and files maintained at my law firm in the regular course of business.

2. I received my B.A. degree from Columbia University in 1991 and my J.D. degree from Cornell Law School in 1994. While at Cornell, I served as a Note Editor for the *Cornell Law Review*. From 1994 to 1995, I served as a judicial law clerk to the Honorable Eugene A. Wright, United States Court of Appeals for the Ninth Circuit. I entered private practice in 1995 and, since then, my practice has focused on employment and commercial litigation. From 2002 through 2005, I served as an adjunct professor at Seattle University School of Law, where I

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SUMMIT LAW GROUP
PLLC

315 FIFTH AVENUE SOUTH, SUITE 1000
SEATTLE, WASHINGTON 98104-2682

1 taught a litigation course. I present materials at continuing legal education sessions on
2 employment and litigation matters. My hourly rate in this matter has been \$245.

3 3. My partner Maureen Mitchell also worked on this matter. She received her B.A.
4 from Smith College in 1995 and her J.D. from University of Washington School of Law in 2000.
5 While she was in law school, Ms. Mitchell served as Articles Editor for the *Pacific Rim Law &*
6 *Policy Journal*. From 2002 to 2004 she also served as a judicial law clerk to the Honorable H.
7 Joseph Coleman, Washington State Court of Appeals, Division One. Ms. Mitchell's practice
8 focuses on litigation and her hourly rate for this matter was \$230.

9 4. My partner Sofia Mabee also worked on this matter. She received her B.A. from
10 Georgetown University in 1996 and her J.D. from Seattle University School of Law in 2001.
11 Ms. Mabee graduated *summa cum laude* from law school and was ranked ninth in a class of two
12 hundred and sixty-two. Her practice focuses on labor and employment law and her hourly rate
13 for this matter has been \$210.


14 5. In my opinion, with respect to this case, my hourly rate and the hourly rates of my
15 partners Maureen Mitchell and Sofia Mabee are comparable to, if not lower than, rates charged
16 by attorneys of law firms in the Seattle area with similar experience, reputation, and ability. It
17 should be noted that Summit Law Group does not have associate attorneys.

18 6. I have reviewed our billing statements in this matter. The total number of hours
19 spent directly defending all claims was 219.5 hours for a total amount of attorneys' fees of
20 \$48,910. Attached as Exhibit A is a true and correct copy of a printout of the time entries
21 reflecting this work with some redactions. My estimates of the number of hours spent to defend
22 against (a) the claims against David A. Turissini; and (b) the claims against Jefferson Transit
23 Authority except those claims based on the Americans with Disabilities Act, 42 U.S.C. § 12101
24 *et seq.*, is: more than 31.6 hours by myself; more than 21.2 hours by Sofia Mabee, and more
25 than 15.7 hours by Maureen Mitchell. I arrived at these figures using the following
26 methodology: I reviewed the billing statements for this case and added (a) time for billing

1 entries relating solely to the frivolous claims; to (b) half or less of the time for each billing entry
2 relating to all claims against the JTA Defendants, rounding down one twentieth of an hour or
3 more in certain instances. This methodology resulted in a total number of hours spent defending
4 the frivolous claims at more than 68.4 hours and a total amount of attorneys fees of more than
5 \$15,305.00.

6 7. In light of the services that have been performed to date, which have been
7 necessary and successful in the defense of this case, and given the number of the frivolous claims
8 brought against the JTA Defendants, in my opinion, \$15,305.00 is reasonable and customary in
9 defense of similar types of employment disputes. This figure amounts to less than a third of the
10 total fees incurred to defend all claims against the JTA Defendants. Upon reviewing all of the
11 legal work that was done in connection with this case, I am confident that this is a conservative
12 figure (i.e., a low estimate) for the amount of work that was spent defending the frivolous claims
13 against the JTA Defendants. The JTA Defendants have also incurred various non nontaxable
14 costs, such as messenger fees, in this matter, which are not being sought in this motion.

15
16 DATED this 28th day of July, 2009.

17 
18 John H. Chun

CERTIFICATE OF SERVICE

I hereby certify that on this day I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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Attorneys for Defendant Eileen M. Lawrence

and I hereby certify that I mailed the document, first class mail postage prepaid, to the following non CM/ECF participants:

Raymond G. Page
1004 Commercial Avenue, #450
Anacortes, WA 98221
Plaintiff, Pro Se

DATED this 3rd day of August, July, 2009.



Leslie D. Teves, Legal Assistant